

## Exhibit N

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA,  
UPDATING THE OFFICIAL ZONING MAP AS DESCRIBED  
BY SECTION 15-108 OF THE FRESNO MUNICIPAL CODE,  
AND PURSUANT TO THE PROCEDURES SET FORTH IN  
ARTICLE 58, CHAPTER 15 OF THE FRESNO MUNICIPAL  
CODE

WHEREAS, Rezone Application No. P19-05950 has been filed by Dirk Poeschel of Dirk Poeschel Land Development Services, on behalf of David Fansler, with the City of Fresno to rezone property as depicted in the attached Exhibit "A"; and,

WHEREAS, pursuant to the provisions of Article 58, Chapter 15, of the Fresno Municipal Code, the Planning Commission of the City of Fresno held a public hearing on the 7th day of September 2022, to consider Rezone Application No. P19-05950 and the related Negative Declaration dated July 29, 2022, and recommended to the Council of the City of Fresno approval, as evidenced in Planning Commission Resolution No. 13766, to amend the Official Zoning Map to rezone the approximately ±1.73 acre subject property from the RM-3/UGM/cz (*Multi-Family Residential, High Density/Urban Growth Management/conditions of zoning*) zone district to the RMX (*Regional Mixed Use*) zone district; and,

WHEREAS, the Council of the City of Fresno, on the 3rd day of November, 2022, received the recommendation of the Planning Commission.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN  
AS FOLLOWS:

SECTION 1. Based upon the testimony and information presented at the hearing and upon review and consideration of the environmental documentation provided, the adoption of the proposed rezoning is in the best interest of the City of Fresno. The Council finds in accordance with its own independent judgment that there is no substantial evidence in the record that Rezone Application No. P19-05950 may have additional significant effects on the environment that were not identified in the Fresno General Plan Program Environmental Impact Report SCH No. 2019050005 ("PEIR") and that all applicable mitigation measures of the PEIR have been applied to the project. In addition, pursuant to Public Resources Code, Section 21157.6(b)(1), Council finds that no substantial changes have occurred with respect to the circumstances under which the PEIR was certified; and, that no new information, which was not known and could not have been known at the time that the PEIR was certified as complete, has become available. Accordingly, the Council adopts the Negative Declaration prepared for Environmental Assessment No. P19-05950.

SECTION 2. The Council finds the requested RMX (*Regional Mixed Use*) zone district is consistent with the Regional Mixed Use planned land use designation of the Fresno General Plan and Bullard Community Plan.

SECTION 3. The Council finds that the zone district of the real property described hereinbelow, located in the City of Fresno, is rezoned from the RM-3/UGM/cz (*Multi-Family Residential/Urban Growth Management/conditions of zoning*) zone district to the RMX (*Regional Mixed Use*) zone district as depicted in the attached Exhibit "A".

SECTION 4. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its passage.

\* \* \* \* \*

STATE OF CALIFORNIA      )  
COUNTY OF FRESNO      )  
CITY OF FRESNO      )

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing Ordinance was adopted by the Council of the City of Fresno, California, at a regular meeting held on the 3rd day of November 2022, by the following vote:

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

TODD STERMER, CMC  
City Clerk

By \_\_\_\_\_  
Deputy \_\_\_\_\_ Date \_\_\_\_\_

APPROVED AS TO FORM:

RINA M. GONZALES  
Interim City Attorney

By \_\_\_\_\_  
Mary Raterman-Dodge Date  
Senior Deputy City Attorney II

Attachment: Exhibit A